

## **REMARKS/ARGUMENTS**

This submission accompanies an RCE and serves as a further response to the Final Office Action of September 21, 2007. A Petition for Extension of Time (one month) and the fee therefor are submitted herewith.

Claims 1-37 are currently pending in the present application. Claims 1-37 were rejected in the Office Action. Applicant amended Claims 1, 20 and 37 and respectfully request a reconsideration of the rejection.

### ***Rejection under 35 U.S.C. §§102 and 103.***

Claims 1-8, 18, 20-27, 35 and 37 were rejected in the Office Action under 35 U.S.C. §102(b) as being anticipated by the article entitled “Improving the Granularity of Access Control for Windows 2000” (hereinafter “Swift”). Claims 9-17 and 28-34 were rejected under 35 U.S.C. §103(a) as being unpatentable over Swift in view of U.S. Patent Publication No. 2004/0186845 (hereinafter “Fukui”). Finally, Claims 19 and 36 were rejected under 35 U.S.C. §103(a) as being unpatentable over Swift in view of U.S. Patent Publication No. 2003/0187854 (hereinafter “Fairweather”). Applicant respectfully disagrees and requests reconsideration of the rejections.

Independent Claims 1, 20 and 30, as amended, recite the method, apparatus and a program of instructions, respectively, for managing availability of information stored in a tree structure “including a plurality of nodes sequentially arranged from a home root node to a plurality of leaf nodes.” Further, each independent claim recites a condition requiring “that while the availability condition can be changed at multiple nodes of the tree structure, the number of times of changes in the availability condition is limited to one at maximum along any selected path from said home root node to any one of the plurality of leaf nodes.” These limitations of Claims 1, 20 and 37 are not disclosed in the cited prior art.

Swift discloses the mechanisms in Windows 2000 that enable fine-grained and centrally managed access control for operating system components and applications. An example of the hierarchy of information discussed in Swift is shown in Fig. 5. Here, the “Company” container represents the home root node, and the “Jane User” object represents a leaf node. Each object and each container has a set of properties. Swift teaches that there are properties that are common to many types of objects and that, instead of giving access right to a particular object, users may be

given access to particular properties of an object. This is particularly illustrated in the Example on pages 14-15. Specifically, the first ACE grants administrators full control over this user object, the second ACE grants group administrators read and write access to user's public information, and the third ACE grants a user herself an access to change the password. Accordingly, access to a particular set of properties is controlled by this set's administrator. In other words, each node of Fig. 5 may have several administrators depending on the properties of this node.

The Examiner believes that the language on page 25, lines 1-3 and 8-10, of Swift is equivalent to the Applicants' limitation that along a path from the home root node to the leaf node the availability condition changes not more than once. Applicants respectfully disagree. Swift states that the access control changes are made **in one place**, i.e., on a single node of the tree structure. However, Swift specifically indicates that these access control changes are different for different nodes. Specifically, as Swift disclosed in reference to its Fig. 5, the "Company" node has properties that will only be accessible by the company administrators, the "Departments" node has properties that will only be accessible by company administrators and department administrators, the "Research" node has properties that will only be accessible by company administrators, department administrators and group administrators, and, finally, the Jane User node has properties that will only be accessible by company administrators, department administrators, group administrators and Jane User. These multiple changes in access availability are possible because, as Swift repeatedly indicates, "despite presenting data as a hierarchy, the Active Directory internally stores data in a flat database and maintains indexes" over the names and properties of the objects. Therefore, while the changes are made from a single node of the tree structure, the availability condition along a particular path may change multiple times in the system of Swift. Contrary to the apparatus and method of Swift, Claims 1, 20 and 37 define a true hierarchical tree structure and recite that the availability condition can be changed at **multiple nodes** of the tree structure but, along any selected path from the home root node to any one of the leaf nodes, the availability condition may only change once.

In view of the above, Applicant respectfully submits that the limitation of Claims 1, 20 and 37 requiring that the availability condition can be changed at multiple nodes of the tree structure and the number of times the availability condition changes on any path from a home root node to

any leaf node is limited to one at maximum, is not disclosed or suggested by Swift. Further, none of the other cited prior art references remedy this deficiency of Swift. Accordingly Claims 1, 20 and 37 are allowable over the cited prior art. Moreover, Claims 2-19 and 21-36 depend directly or indirectly on independent Claims 1 and 20, respectively. Therefore, Claims 2-19 and 21-36 are allowable for at least the same reasons as Claims 1 and 20, and, further, on their own merits.

In view of the foregoing discussion, allowance of Claims 1-37 is respectfully requested.

Accordingly, the Examiner is respectfully requested to reconsider the application, allow the claims as amended and pass this case to issue.

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